

AUG 04 2008

Application/Control Number: 09/856,228
Art Unit: 3722

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Linden, Craig L.
Application No.: 09/856,228
PCT Filed July 31, 2000
Title: Method and Apparatus for Powered Interactive
Physical Displays
Group Art No.: 3722
Examiner: Jamila O. Williams
Date: August 3, 2008

MAIL STOP REPLY BRIEF – PATENTS

Commissioner of Patents
Alexandria, VA 22313-1450

Ms. Williams, Examiner:

Today, the Applicant, in pro per submits an Revocation of Power of Attorney with a new Power of Attorney naming himself, a Petition of Extension of Time, a Request for Continued Examination, an Information Disclosure Statement, Reply, Amended Claims Appendix A and MPEP citations Appendix B. This is in reply to the Final Office Acton dated January 26, 2005, rejecting all Claims. Please disregard the unfinished Appeal brief.

Applicant sincerely requests the contents of my three (3) U.S. Provisional Patent Applications, as originally and currently referenced by Number, Date and Title in this non-provisional specification, be each incorporated by reference and be made part of this specification.

Applicant further requests that the currently amended claims listed in Appendix A be considered for purposes of this corrected reply brief. Pro per Applicant requests a

AUG 04 2008

Application/Control Number: 09/856,228
Art Unit: 3722

PATENT

Office interview and help with writing claims should they be found unacceptable in present form. There is no new matter. For the Examiner's convenience only, the claims are referenced to at least one embodiment and to at least one portion of the specification and/or drawings, but such references shall not be considered a limitation of any type or kind.

STATUS OF CLAIMS

As permission requested and for reasons stated above, Claims 1-6, 11, 13, 17, 19 and 21-25 are currently amended as shown in Appendix A. Claims 7-10, 12, 14-16, 18 and 20 have been canceled.

Claims 1-6, 9-14 and 17-25, in their former form were finally rejected under 35 USC 102(b) as being anticipated by U.S. Patent No. 5,746,602, Kikinis ("602 Kikinis"). Claims 23-25 in their former form have been rejected under 35 USC 112, second paragraph, as being indefinite by failing to point out what is included or excluded by the claim language.

Applicant requests the Examiner adjudge all the claims separately. Applicant requests help drafting claims if Examiner agrees that novelty is present.

STATUS OF AMENDMENTS

After the January 26, 2005 final Office Action dated, Amendments dated March 27 & 30, May 15, 2005 (with Applicant's Declaration of May 15, 2005) were submitted and refused entry. Applicant lacks sufficient understanding of how to draft the claims to differentiate over the Office-cited reference to show novelty. Application also submits four newly discovered U.S. patents and one patent application to further support novelty.

Application/Control Number: 09/856,228
Art Unit: 3722

PATENT

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**RECEIVED
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Art Unit: 3722

PATENT

SUMMARY OF CLAIMED SUBJECT MATTER**Mapping Claims to at Least One Disclosure in the Specification and Supplement to****Argument, but not to be considered as any limitation of any type or kind****Claim 1: (Please see Appendix B, 1-8)****Life-like Physical Displays Without Pre-scripted Input Control Routines**

According to one embodiment, a powered interactive bodily-contact output display is pictured in Figure 8 as a teddy bear (1) with functional operations being represented by block diagram in Figure 7 allowing a person to give and receive hugs from the teddy bear. Person represented as (12) in Figures 7 and 8, hugs the bear's chest and this input action is sensed by the input transducer (2) which is operatively connected with energy source (25) and the bear's powered arms (animate display 3) so as to deliver a unscripted responsive life-like hug to the person. In this embodiment the person's (12) brain, emotions, nervous system and skeletal-muscular system are represented as (13).

The embodiment of Figures 7 and 8 are described in the Specification on page 16 beginning on line 16 (description of Figs. 7 & 8) and ending on page 17 on line 18.

Appropriate additional component means may be selected as shown in block diagram Figure 2 as described on page 12 beginning with line 5 and ending on page 13 line 20.

Figures 3, 4, 5 and 6 picture examples of other embodiments of powered physically interactive devices that be used by one person which are described beginning on page 13 line 21 through page 16 line 14, additional embodiments and other details applying to all embodiments are disclosed in the Specification.

Application/Control Number: 09/856,228
Art Unit: 3722

PATENT

Various embodiments, whether used by a single person, two or more people - allow substantially real-time (not pre-recorded bits from a PC computer loaded CD or memory bank) human-like emotionally-based physical interaction.

When various types of physical functionality are integrated into cell phones to enhance game play and human communication, emotions are evoked when a game goal is achieved or lost, or when a loved one says, "I love you". Page 8 lines 15-24 give an example of a physically interactive phone that can be used interactively by one person (Claim 1) or between two or more persons in the latter claims, and as shown in Figure 3. Please see additional references in Specification and Argument section of this Reply.

Claim 2: (Please see Appendix B, 1-8)

Proprietary or other Specialized Operating Environment Software Not Required

As outlined in the embodiment summary of Claim 1 above, Claim 2 adds means for operatively connecting the components in Figures 2 or 7, and as mentioned elsewhere in the disclosure, to eliminate the Office-cited prior art requirement of single-source host-computer operating environmental software. Please see additional references in Specification and Argument section of this Reply.

Claim 3: (Please see Appendix. B, 1-8)

Host Computers Not Required

Application/Control Number: 09/856,228
Art Unit: 3722

PATENT

As described in the embodiment summary of Claim 1 above, Claim 3 adds means for operatively connecting the components in Figures 2 or 7, and as mentioned elsewhere in the disclosure, to eliminate the Office-cited prior art requirement of a separate host-computer. Please see additional references in Specification and Argument section of this Reply.

Claim 4: (Please see Appendix B, 1-8)

Operable Without Servo-Mechanisms

As explained in the embodiment summary of Claims 1-3 above, Claim 4 adds means for operatively connecting the components in Figures 2 or 7, and as mentioned elsewhere in the disclosure, to eliminate the Office-cited Kikinis '602 reference requirement of servo-mechanisms. Please see additional references in Specification and Argument section of this Reply.

Claim 5: (Please see Appendix B, 1-8)

Reduced Time Delay Equals Faster Responses Necessary for Life-Like Physical Interaction

As basically explained in embodiment summaries of Claims 1-4 above, Claim 5 adds means for operatively connecting the components pictured in Figure 2 or Figure 7 to eliminate or significantly reduce computer-based computations, thereby substantially reducing time delay. Page 3 lines 7-20 of the Specification mentions the necessity of the Office-prior art use of computer-based computations to control the prior art devices cited.

Application/Control Number: 09/856,228
Art Unit: 3722

PATENT

These disadvantages or limitations are also mentioned on page 5 line 6 item (b), lines 12-13 (h), page 8 line 7-8.

Claim 6: (Please see Appendix B, 1-8)

Dissimilar Physical Output Display Action as Compared to Input

As demonstrated in the Specification, a person represented as (12) in Figures 7 and 8, hugs the bear's chest and this input action is sensed by the input transducer (2) which is operatively connected with energy source (25) and the bear's powered arms (animate display 3) so as to deliver a responsive life-like hug to the person, which output display (hug action) is dissimilar to the input action. Please see additional references in Specification and Argument section of this Reply.

Claims 7-8 Previously Canceled

Claim 9-10 Currently Canceled

Claim 11: (Please see Appendix B, 1-8)

Remote Control Capability

The additional means for remote control to Claims 1-6 and 9, allows the input from a second teddy bear to control the output on a first teddy bear (Fig. 1, 2, 3). The bears can be in the same room or on separate continents. This is described in the

Application/Control Number: 09/856,228
Art Unit: 3722

PATENT

Specification beginning on page 11 through page 14. Please see additional references in Specification and Argument section of this Reply.

Claim 12 Currently Canceled

Claim 13: (Please see Appendix B, 1-8)

Electrical Energy Display

The addition of means for the delivery of electrical energy to a being to Claims 1-6, 9 and 11, allows for example, a neurologist or cardiac specialist to remotely administer electrical shock to a remote patient – in addition to other physical interaction (Figs. 11, 12). This is described in the Specification beginning on page 20 lines 1 through line 31. Please see additional references in Specification and Argument section of this Reply.

Claim 14 Currently Cancelled

Claim 15-16 Previously Cancelled

Claim 17: (Please see Appendix B, 1-8)

Communication Capability

The additional means for communication between example devices or with distinct devices summarized in Claims 1-6, 9, 11, and 13, allows for example, a father and daughter to exchange live physically interactive hugs using the two teddy bears

Application/Control Number: 09/856,228
Art Unit: 3722

PATENT

pictured in Figure 1 as explained on page 11, or for persons to exchange physical interaction using mobile phones (Fig. 3). This is described in the Specification beginning on page 11 lines 1 through page 15. Please see additional references in Specification and Argument section of this Reply.

Claim 18 Currently Cancelled

Claim 19: (Please see Appendix B, 1-8)

Recording and Playback Capability

The addition of means for recording and playback to example devices summarized in Claim 1- 6, 9, 11, 13 and 17, for a grandmother to record various custom hugs for later delivery to one or more grandchildren via her device or via their devices. This would allow for a personalized hug or handshake to be delivered to a future grandchild after the grandparent passes. This is described in the Specification on page 11 line 28, beginning with "Optionally, Dad could have prerecorded his hugs..." Figure 2 is a block diagram described on page 12 beginning on line 5 and ending on page 13 line 20. Please see additional references in Specification and Argument section of this Reply.

Claim 20 Currently Cancelled

Claim 21: (Please see Appendix B, 1-8)

Multiple Displays

Application/Control Number: 09/856,228
Art Unit: 3722

PATENT

Adding means for displaying additional forms of energy or media to example devices summarized in Claims 1- 6, 9, 11, 13, 17 and 19, allows, for example, a remote nurse to remotely apply thermal energy to a remotely located patient as pictured in Figure 12. This is described in the Specification on beginning on page 20 through the end of page 21. Please see additional references in Specification and Argument section of this Reply.

Claim 22: (Please see Appendix B, 1-8)

Hybrid Energy Displays

Adding the capacity for hybrid displays to example devices summarized in Claims 1- 6, 9, 11, 13, 17, 19 and 21, allows for example, a grandmother to video conference with her grandchildren – “Hello Johnny, I see we both have our special teddy bears, is it okay if I give you a nice big warm hug?” This would also allow, for example, a bidirectional live remotely exchanged warm handshake between a wife stationed abroad and her husband back home. This is described in the Specification on page 13 lines 6-20. Figure 2 is a block diagram described on page 12 beginning on line 5 and ending on page 13, line 20. Additional information in the Specification begins on page 20 and continues through the end of page 21. Please see additional references in Specification and Argument section of this Reply.

Claim 23: (Please see Appendix B, 1-8)

Apparatus Capable of Displaying Various Forms of Energy

Application/Control Number: 09/856,228
Art Unit: 3722

PATENT

The components for transferring various forms of energy to remote persons are shown in Figure 2. A functional example is a cardiac specialist to remotely administer electrical shock treatment to a remote patient's heart, while possibly performing other physical intervention such as remotely controlling a portable lung machine to enable the patient to breathe (Figs. 12). This is described in the Specification beginning on page 20 lines 1 through line 31. This method would require steps to connect the patient to the devices and the step of the remotely located doctor being connected via communications to receive vitals and to enable the doctor to control the patient-connected devices. Please see additional references in Specification and Argument section of this Reply.

Claim 24: (Please see Appendix B, 1-8)

Centralized Operations Providing Remotely Delivered Physical Energy Services

One embodiment of the method for providing centrally controlled energy display services is outlined immediately above in Claim 23 and as directed to the figures and description in the Specification. However, Claim 24 covers centralized operations providing interactive physical services to persons or groups of people perhaps suffering from the similar maladies. This would allow, for example, a single or a few medical professionals to provide services to individuals or members of certain groups effectively and simultaneously. Please see additional references in Specification and Argument section of this Reply.

Application/Control Number: 09/856,228
Art Unit: 3722

PATENT

Claim 25: (Please see Appendix B, 1-8)

Functional Integration to Enable Real-Time Physical Effects on Distinct Devices

Method for integrating the functional means of the powered interactive physical display apparatus such as the proposed embodiments described in the Application with other distinct devices and programming, without which such integration would lack the described functionalities in the Application. Applicant has added step "b" and "c" to Claim 25 to complete the claim. The Specification on page 7 lines 14 through 23. Figure 3 and Figure 4 show various phone devices with powered interactive physical display functionally integrated as examples of types of modified candidate devices. Some candidate devices will require physical modifications, in other cases programming modifications will be necessary to integrate the desired level of functionality, depending upon the preexisting design, components and programming of the selected candidate device. Please see additional references in Specification and Argument section of this Reply.

STATEMENT OF ISSUES TO GROUNDS OF REJECTION

Whether Claims 1-6, 11-14, and 17-25 are unpatentable under 35 U.S.C. Section 102(b) compared to Kikinis '602 patent and whether Claims 23-25 are indefinite under Section 112.

Application/Control Number: 09/856,228
Art Unit: 3722

PATENT

GROUPING OF CLAIMS

The Applicant requests that each currently amended Claim in Appendix A, as summarized individually above, be considered and adjudged separately. The Applicant requests an Office interview and assistance with writing the claims if the prosecution is reopened.

FURTHER ARGUMENTS

The rejection of Claims 1-6, 11-14 and 17-25 under 35 USC Section 102(b) as being anticipated by U.S. patent 5,746,602 to Kikinis is improper and should be withdrawn. Applicant requests that the information presented in the above "Summary of the Claimed Subject Matter" and the references to the Applicant's Specification be included in this Argument section of this Reply.

A. OVERVIEW

Claims 1-6, 11-14 and 17-25 under 35 USC Section 102(b) have been rejected in their former form as being anticipated by U.S. patent 5,746,602 to Kikinis.

B. STANDARD

The Applicant now understands he must rebut Office-cited evidence that Applicant's invention is not novel compared to the cited Kikinis '602 patent.

Application/Control Number: 09/856,228
Art Unit: 3722

PATENT

C. THE KIKINIS '602 REFERENCE

Applicant will focus on the robotic, host computer, software elements and element-arrangements related to the Kikinis electromechanical dolls (13). These robotic elements which seem structurally similar, but as combined (as taught by Kikinis) do not represent an enabling disclosure. Kikinis discloses dolls and other entities that are not capable of real-time life-like physical display operations. Nor are the Kikinis entities capable of standalone operation. Therefore, a child cannot hug a Kikinis doll and receive a responsive real-time life-like hug in return from the doll as is possible with Applicant's invention. The Kikinis reference is not enabling for this and other reasons explained herein.

The thrust of Kikinis '602 is based upon one of main goals of the field of – robotics, i.e. the teaching of continuously advancing robotic abilities by adding more and more artificial intelligence and associated mass memory storage. Kikinis '602 states an inventive step to lend the capabilities of powerful PCs (and associated structures) to his dolls by connecting the dolls to the family's PC or other computer(s). Thereby, Kikinis describes highly motion-capable dolls (and other entities) that could be marketed at lower prices because lower manufacturing cost, result from use of an already family-owned PC for the artificial intelligence.

The Kikinis '602 reference does not disclose novel phones disguised as dolls. Telephones, for one example, have been built into personal entities such as dolls and have

Application/Control Number: 09/856,228
Art Unit: 3722

PATENT

been sold for decades -- such as the 1980's Disney trademarked Winnie the Pooh look-a-like phones. In any case, Kikinis and none of the prior art phones were enabled to communicate various real-time physical effects.

The Office-cited elements below and presented as Office evidence to deny Applicant's novelty are located within the Kikinis disclosure (as referenced by the Office):

- 1) an electrical power supply means (33);
- 2) a transducing means (column 5, lines 56-67 of the specification);
- 3) a physical display means (doll 13);
- 4) a remote control means (fig 2);
- 5) a transceiving communication means (PC 15).
- 6) a recording and playback means (column 8, lines 52-57 of the specification);

For reasons set forth below, the Applicant respectfully submits that the Patent Office has not established a prima facie case that Kikinis '602 anticipated Applicant's claims. The above six Office-cited elements as arranged by the reference do not enable unscripted physical output.

One reason is that Kikinis tactile input sensor (column 5, lines 56-67 of the specification) data is communicated to the PC (15) via local communication link (41 in fig. 3) exclusively to recall pre-programmed movement routines. For instance the child

Application/Control Number: 09/856,228
Art Unit: 3722

PATENT

can request a dance routine to be preformed by the doll, but there is no Kikinis' disclosure about direct interactive touch between the doll and child.

The Kikinis discloses many elements for the system and the process steps are numerous, resulting in significant time delays from physical input to scripted physical output. These delays multiply if two dolls are used to exchange prescribed motion routines.

When the child or adult may call for a software routine from the PC's CD disk, for instance, the child expects the doll to dance with the music, if so enabled.

The Office may have misunderstood the following the element means as being relevant to Applicants claims:

A) additional or hybrid display means (column 3, lines 66-67 and column 4, lines 1-4 of the specification). This is a reference to PC computer monitor, i.e., not bodily contact display. Kikinis does not disclose a relevant additional or hybrid display means (column 3, lines 66-67 and column 4, lines 1-14 of the specification). Kikinis does disclose an option of using the PC video display interactively while the child plays with the doll.

Importantly, Applicant's Claims 21 and 22 regard the delivery of multiple types of energy to a person, for instance, electrical or motion stimulation to the skin, bones or organs. Applicant could not locate related Kikinis disclosure and Applicant proposes that mildly shocking a person during a remotely-played multiplayer game is not disclosed in '602 Kikinis.

Application/Control Number: 09/856,228
Art Unit: 3722

PATENT

B) means to deliver electrical energy to a being (fig 2). This reference was not found by Applicant in the Kikinis disclosure. Cited as evidence, the Office states that Kikinis includes means to deliver electrical energy to a being (fig 2), but Applicant cannot find any support in the Kikinis specification or drawings for this statement – nor anything inherent in the specification. The Kikinis dolls' motors, etc. *are* electrically powered – allowing the dolls many different electrical-mechanical servo movements. The dolls *do not* transfer any type of electrical or any other types of direct contact physical stimulation to the user.

Cited Kikinis Power Supply Evidence Item No. 1: Every embodiment of Kikinis requires a minimum of two energy source means – one onboard to power the Kikinis PC-dependant entity and another power energy source means to power the enabling separate PC. Kikinis power supply 33 is limited to an electrical energy source (column 6, lines 34-43). No other types of energy are disclosed or inherent because Kikinis dolls physical display movements are operated solely electrical-mechanically, and therefore the reference could never be enabled with any other type of energy.

Additionally, all possible embodiments of Kikinis entities are not enabled without at least one separate PC which has to be purchased separately from the doll if not pre-owned by the child or family. The PC requirement is expressly written throughout the '602 Kikinis reference – the Kikinis reference is not enabling without a PC and without external prescribed control of the physical display.

Application/Control Number: 09/856,228
Art Unit: 3722

PATENT

Line 1 of column 5 of the Office-cite states in part, "...Fig 1 is a self-contained mechanism..." Please note that fig 1 represents a Kikinis doll as connected a PC host computer. The Kikinis entities can be termed "self-contained" only in the manner that a computer mouse can be termed a self-contained peripheral device, i.e. the mouse is only enabled and only becomes useful only when connected to its host computer.

Cited Kikinis Evidence Item No. 4: A *local* or remote control means (fig 2). As best understood by Applicant – Kikinis powered physical display (doll 13) is *solely* enabled via remote control routines delivered by a PC via communication link (41).

Cited Kikinis Evidence Item No. 5: The Kikinis transceiving communication means (PC 15). This Kikinis '602 reference disclosure is not enabling – nothing can happen because there is no powered doll movement possible without this link to the separately required PC. Output from the Kikinis physical display (doll 13 – the Office cite of the Kikinis disclosure regarding powered interactive physical displays) is *wholly disabled* without this critical PC (and the many components therein).

Cited Kikinis Evidence Item No. 6: The Office cites Kikinis' recording and playback means (column 8, 52-57). Applicant did not find this cite, but there is reference regarding parents being able to record stories and messages on the PC for later playback from the PC-based memory to the doll's audio circuits. This Reply is not about audio or audiovisual recording and playback.

Application/Control Number: 09/856,228
Art Unit: 3722

PATENT

D. APPLICANT'S CLAIMS 1-6, 11-14, and 17-25

The Final Office action cites the Kikinis element means (discussed above and herein by Applicant) which the Office states anticipate Applicant invention. However, Applicant operatively connects elements and/or processes (summary above and teddy bear fig. 8) producing substantially dissimilar powered interactive bodily contact output display output as compared to input (MPEP 2173.05(g)).

For example a person makes tactile contact (input) causing an opposite physical “hubotic” (human-like interaction) display output. Applicant’s re-arrangement of prior art transducer-type input and powered output displays and other changes enable his invention. This dissimilar physical output compared to input information applies whether, for example, when child hugs and receives a non-scripted hug while using Applicant’s teddy bears or when people similarly exchange human feelings via Applicant’s squeezable-expandable phones.

Oppositely, the prior art of robotics relies on robots to reproduce inputted motion instruction data into nearly exactly the intended physical output movement – or similar to the input data. Applicant’s research of prior art has discovered no programming, input controls or arrangement of means or methods that enable a robot physical output movement to be purposely dissimilar or reversed compared to input data.

A prior art robot closes its hand or its mechanical-gripping mechanism to enable to the robot to keep hold of a glass of milk – otherwise, should it perform a reverse movement action -- it will be spilled milk. The Kikinis ‘602 is not expressly enabling,

Application/Control Number: 09/856,228
Art Unit: 3722

PATENT

nor inherently enabling to Applicant's novel, but outwardly similar looking "hubotic" teddy bears.

Applicant operatively connects elements and/or processes producing significantly faster powered interactive displays, i.e., output as compared to input (MPEP 2173.05(g).

Applicant's operatively connects elements and/or processes without undisclosed special Kikinis '602 (column 9, lines 46-56) environmental software (nor separately required performance routine software) and without a PC computer.

Claims 23-25 were rejected as to 35 USC Sec. 112 as being indefinite by failing to point out what is included or excluded by the claim language. Applicant has amended these claims and humbly submits them. Applicant requests that once novelty is proven that the Office will assist him in claim construction as necessary.

Applicant's specification, drawings and claims include embodiments of mobile devices. Applicant has recently discovered four U.S. patents and one U.S. patent pending, all of which are listed on the attached Information Disclosure Statement. Applicant believes all of these references have late priority dates later his, and therefore are presented as further evidence of novelty.

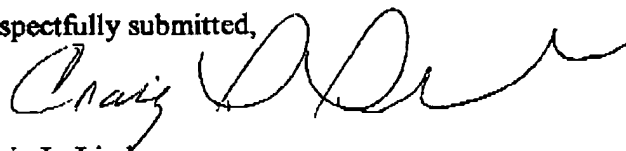
The Applicant therefore respectfully submits Claims 1-6, 11-14, and 17-25 are in condition for allowance. Allowance of Claims 1-6, 11-14, and 17-25 is sincerely requested.

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CONCLUSION

The Applicant has demonstrated Claims 1-6, 11, 13, 17, 19 and 21-25 as currently amended and listed in Appendix A are clearly distinguishable over Kikinis '602 as cited by the Patent Office. Therefore, the Applicant respectfully requests that the Examiner reverse the final Office rejection and issue a notice of allowance of all claims. However, if such rejection is maintained, Applicant requests that the Examiner allow a first Office interview and Office assistance with the proper drafting of the claims.

Respectfully submitted,



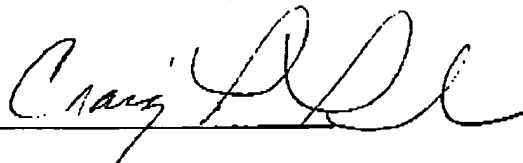
Craig L. Linden

CERTIFICATE OF TRANSMISSION BY FACSIMILE

Sir:

The undersigned hereby certifies that the Applicant filed these forms, fee payments and replay, as listed in the first paragraph of this document, via facsimile on August 3, 2008, to the USPTO fax number (571) 273-8300.

Dated: August 3, 2008



Craig L. Linden, in pro per

Alpine, California

Phone (619) 301-3555

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Application/Control Number: 09/856,228 (Linden)

Appendix A: 1 of 5

Art Unit: 3722

Appendix A -- CLAIMS**Claims – August 3, 2008 with Appeal**

Claims: *The following is a listing of all claims in the application with their status and the text of all non-cancelled claims.*

What is claimed is:

1. (CURRENTLY AMENDED) A powered interactive physical display apparatus operable without scripted control routines executed by the CPU of a PC host computer, such apparatus comprising:

- (a) an energy source means for providing power to the apparatus,
- (b) transducing means for input and display output,
- © means for operatively connecting said energy source means and transducing means.

2. (CURRENTLY AMENDED) A powered interactive physical display apparatus operable without operating environment software loaded on the RAM of a PC host computer, such apparatus comprising:

- (a) an energy source means for providing power to the apparatus,
- (b) transducing means for input and display output,
- © means for operatively connecting said energy source means and transducing means.

Application/Control Number: 09/856,228 (Linden)

Appendix A: 2 of 5

Art Unit: 3722

3. (CURRENTLY AMENDED) A powered interactive physical display apparatus operable without a PC host computer, such apparatus comprising:

- (a) an energy source means for providing power to the apparatus,
- (b) transducing means for input and display output,
- © means for operatively connecting said energy source means and transducing means.

4. (CURRENTLY AMENDED) A powered interactive physical display apparatus operable without servo-mechanisms, such apparatus comprising:

- (a) an energy source means for providing power to the apparatus,
- (b) transducing means for input and display output,
- © means for operatively connecting said energy source means and transducing means.

5. (CURRENTLY AMENDED) A powered interactive display apparatus according to any one of claims 1 to 4, further comprising of means for operatively connecting said energy source means and transducing means to substantially reduce time lag.

6. (CURRENTLY AMENDED) A powered interactive display apparatus according to any one of claims 1 to 4, further comprising of means for operatively connecting said energy source means and transducing means for producing substantially dissimilar powered display output as compared to input.

7-8 (PREVIOUSLY CANCELED)

9-10 (CURRENTLY CANCELED)

Application/Control Number: 09/856,228 (Linden)
Art Unit: 3722

Appendix A: 3 of 5

11. (CURRENTLY AMENDED) A powered interactive display apparatus according to any one of claims 1 to 4, further comprising of means for local or remote control.

12. (CURRENTLY CANCELED)

13. (CURRENTLY AMENDED) A powered interactive physical display apparatus according to any one of claims 1 to 4, further comprising of means for to delivery electrical energy to a being.

14. (CURRENTLY CANCELED)

15-16 (PREVIOUSLY CANCELED)

17. (CURRENTLY AMENDED) A powered interactive physical display apparatus according to any one of claims 1 to 4, further comprising of means for transceiving communications.

18. (CURRENTLY CANCELED)

19. (CURRENTLY AMENDED) A powered interactive physical output display apparatus according to any one of claims 1 to 4 further comprised of means for recording and playing back information.

20. (CURRENTLY CANCELED)

Application/Control Number: 09/856,228 (Linden)

Appendix A: 5 of 5

Art Unit: 3722

25. (CURRENTLY AMENDED) Method for integrating, in whole or in part, the functional means of the powered interactive physical display apparatus, according to any one of claims 1 to 6, 11, 13, 17, 19, 21-22, with distinct devices and/or by programming, so as to add selected new physical effects, the method comprising the following steps:

- a) selecting one or more integration candidate devices or products from the following list of wired or wireless devices,
medical devices, therapy devices, rehabilitation devices, monitoring devices, chiropractic devices, massage devices, exercise devices, phones, pagers, Internet access devices, electronic stimulation devices, medicine and reward vaults, entertainment devices, thermal therapy devices, virtual reality systems, single and multi-player games, gambling devices, computer systems, exercise devices, bio-vital signs, automotive systems and components, sporting devices, toys, stuffed animals and characters, childcare and eldercare devices, animal care, sleep monitoring and sleep enhancing devices, magnetic, light, radio frequency, infrared, clothing, GPS devices and all such possible combinations of devices or products listed above,
- b) applying such appropriate modification steps to the selected candidate devices, products or combinations thereof as necessary to integrate the desired so selected physical display functionalities,
- c) completing such integration, testing and modifying and retesting as necessary.

Wherein to add one or more new physical display capabilities to known devices which heretofore lacked such physical capabilities.

Application/Control Number: 09/856,228 (Linden)

Appendix A: 4 of 5

Art Unit: 3722

21. (CURRENTLY AMENDED) A powered interactive physical output display apparatus according to any one of claims 1 to 4, further comprised of means for additional displays for displaying additional forms of energy or media.

22. (CURRENTLY AMENDED) A powered interactive physical output display apparatus according to any one of claims 1 to 4, further comprised of means for a hybrid display for displaying more than one form of energy or media.

23. (CURRENTLY AMENDED) A method for transferring various forms of energy between remotely located persons, the method comprising of providing at least one person with an appropriate version of the powered interactive physical display apparatus according to any one of claims 1 to 6, 11, 13, 17, 19, 21-22 or 25, connecting said apparatus to a communication network.

24. (CURRENTLY AMENDED) A method for providing centrally controlled energy display services to or from remote individuals or groups, the method comprising the following steps:

- a) providing one or more remote humans with a version of the powered interactive physical display apparatus equipped with communication means, according to any one of claims 1 to 6, 11, 13, 17, 19, 21-22, or 25,
- b) connecting at least one said display apparatus to a communication system for communication with a central control center;
- c) transmitting control information to or from said central control center to one or more said remote powered interactive physical display apparatus.

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Application/Control Number: 09/856,228 (Linden)

Appendix B: 1 of 2

Art Unit: 3722

Appendix B
MPEP Appellant Citations in Appeal

The following is a listing of citations:

- (1) MPEP 2173.05(i) Negative Limitations: "...there is nothing inherently ambiguous or uncertain about a negative limitation." "...must have basis in the original disclosure."
- (2) MPEP 2173.05(j) A CLAIM SHOULD NOT BE REJECTED ON THE GROUND OF OLD COMBINATION
- (3) MPEP 2173.05(g) Functional Limitations: "...the claim term 'operatively connected' is 'a general descriptive claim term frequently used in patent drafting to reflect a functional relationship between claimed components,'..." "It was held that the limitation used to define a radical on a chemical compound as 'incapable of forming a dye with said oxidizing developing agent' although functional, was perfectly acceptable because it set definite boundaries on the patent protection sought."
- (4) MPEP 2143.03 All Claim Limitations Must Be Considered: "All words in a claim must be considered in judging the patentability of that claim against the prior art."

Application/Control Number: 09/856,228 (Linden)

Appendix B: 2 of 2

Art Unit: 3722

(5) MPEP 2121.01 Use of Prior Art in Rejections Where Operability Is in Question.

“The disclosure in an assertedly anticipating reference must provide an enabling disclosure of the desired subject matter; mere naming or description of the subject matter is insufficient, if it cannot be produced without undue experimentation”.

- 6 MPEP 2184: “If the applicant disagrees with the inference of equivalence drawn from a prior art reference, the applicant may provide reasons why the applicant believes the prior art element should not be considered an equivalent to the specific structure, material or acts disclosed in the specification. Such reasons may include but are not limited to: A: Teachings in the specification that particular prior art is not equivalent; B: Teachings in the prior art reference itself that may tend to show nonequivalence; or C: 37 CFR 1.132 affidavit evidence of facts tending to show nonequivalence”.**

- (7) MPEP 2184 I.: Teachings in Applicant’s Specification. “If the specification defines what is meant by ‘equivalents’ to the disclosed embodiments for the purpose of the claimed means or step plus function, the examiner should interpret the limitation has having the meaning.”**

- (8) MPEP 2111.02: Effect of Preamble “[A] claim preamble has the import that the claim as a whole suggests for it.” *Bell Communications Research, Inc. v. Vitalink Communications Corp.*, 55 F.3d 615, 620, 34 USPQ2d 1816, 1820 (Fed. Cir. 1995).**